

Serial No.: 10/729,503  
Attorney Docket No.: F-758

Patent

## **REMARKS**

### **1. Status of Claims**

Claims 1-16 were pending in the Application. Applicants have amended claims 1, 2, 11 and 14 and canceled claim 16 without prejudice or disclaimer. Applicants have added new claims 17-21. Applicants respectfully request entry of the above amendments and consideration of the enclosed remarks. Applicants respectfully submit that no new matter is added. Accordingly, claims 1-15 and 17-21 will remain pending in the application.

Applicants undersigned attorney appreciates the courtesy extended by the Examiner in the telephone interview of June 16, 2006 in which the cited reference was discussed.

### **2. Claim Rejections Under 35 U.S.C. Section 103**

On page 2 of the Office Action, the Examiner rejected claims 1-16 under 35 U.S.C. 103(a) as allegedly rendered obvious by U.S. Patent Application Publication US 2003/0101143 A1 to Montgomery, et al. ("Montgomery '143").

Applicants respectfully traverse the rejection. Solely in order to expedite prosecution, Applicants have amended claims 1, 2, 11 and 14 and canceled claim 16.

Applicants respectfully submit that the cited references do not teach or suggest at least:

determining a first likely sequence of expected observation events for a first mail piece and a second likely sequence of expected observation events for a second mail piece wherein the second mail piece is associated with the first mail piece and the second likely sequence of expected observation events is associated with the first likely sequence of expected observation events;

determining that a first expected observation event from the first likely sequence of expected observation events has not occurred for the first mail piece;

Serial No.: 10/729,503  
Attorney Docket No.: F-758

Patent

using the first expected observation event to determine a second expected observation event associated with the first expected observation event and determining that the second expected observation event has occurred for the second mail piece.

Montgomery '143 does not teach or suggest associated mail pieces used for probe tracking, does not teach or suggest determining a likely sequence of events for two associated mail pieces. Furthermore, Montgomery '143 could never provide an alarm on a non-occurrence since the described system merely searches for duplicates the occur and could only possibly detect something based upon two occurrences, the second one being unexpected. Accordingly, there would be no motivation to modify Montgomery '143 in such a way without impermissible hindsight and such a modification would substantially depart from and require significant modification to the underlying system described in Montgomery '143.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejections.

Applicants respectfully submit that new claims 17-21 are patentable over the cited references for at least the reasons described above.

Accordingly, Applicant submits that the invention as presently claimed in claims 1-15 and 17-21 is in condition for allowance.

### **3. Conclusion Of Remarks**

For at least the reasons stated above, it is respectfully submitted that the claims of this application are in condition for allowance and early and favorable action thereon is requested.

If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicant at (203) 924-3180.

Serial No.: 10/729,503  
Attorney Docket No.: F-758

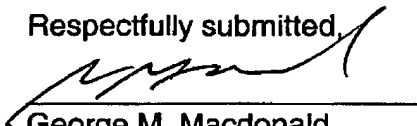
Patent

#### **4. Authorization**

No fee is believed due with this Amendment. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or credit any overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-758.

In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-758.

Respectfully submitted,



George M. Macdonald  
Reg. No. 39,284  
Attorney of Record  
Telephone (203) 924-3180  
PITNEY BOWES INC.  
Intellectual Property and Technology Law Department  
35 Waterview Drive, P.O. Box 3000  
Shelton, CT 06484-8000